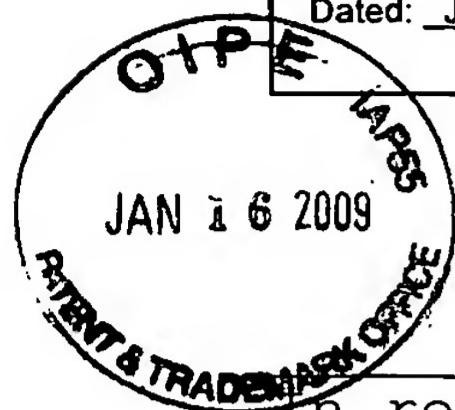


I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to:
MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 12, 2009 Signature:

(William A. DiBianca)



Group Art Unit: 3774

Docket No.: SPINE 3.0-446 CIP III CONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Ralph et al.

Application No.: 10/648,464

: Group Art Unit: 3774

Filed: August 25, 2003

: Examiner: J. G. Blanco

For: INTERVERTEBRAL SPACER DEVICE
HAVING A SLOTTED PARTIAL
CIRCULAR DOMED ARCH STRIPS/SPRING

AMENDMENT

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated September 10, 2008, finally rejecting claims 13-16, 18, 20, 21 and 23-35, please amend the above-identified U.S. patent application as follows: